

10/518019

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

DT05 Rec'd PCT/PTO 15 DEC 2004

GONDRY et al.

International Application No. PCT/FR2003/001851

Serial No. NOT YET ASSIGNED

International Filing Date: 18 June 2003 (18.06.2003)

Filed: December 15, 2004

For: POLYNUCLEOTIDES AND POLYPEPTIDES CODED BY SAID POLYNUCLEOTIDES
INVOLVED IN THE SYNTHESIS OF DIKETOPIPERAZINE DERIVATIVESINFORMATION DISCLOSURE STATEMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. § 1.97-1.98. Please note the following particulars:

[NOTE: One only of items a, b, c, and d must be checked.]

- a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.
- b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. § 1.113, or a notice of allowance under 37 C.F.R. § 1.311.

The enclosed statement is accompanied by [check one]:

- i. a certification in part (e) below as specified in 37 C.F.R. § 1.97(e), or
- ii. a check in the amount required by 37 C.F.R. § 1.17(p).
- c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. § 1.113, or a notice of allowance under 37 C.F.R. § 1.311, but before payment of the issue fee.
- Certification report(e) below; and
- a check in the amount as required by § 1.17(p).
- d. The enclosed statement is being filed pursuant to 37 C.F.R. § 1.97(i), for placement in the file.

- e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]
- I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a

10/518019

Page 2

ocket No. 26438U

counterpart foreign application not more than three months prior to the filing of this statement,

or

DT05 Rec'd PCT/PTO 15 DEC 2004

[] I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

[] Appropriate certification is attached.

[x] f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

[x] g. Copies of the documents are attached herewith with a completed Form PTO-1449.

or

[] Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:
or Copies of US Patents/Publications not attached as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

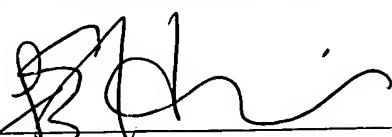
The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,

NATH & ASSOCIATES PLLC

By:


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10/518019

Page 1 of 1

D Rec'd PCT/PTO 15 DEC 2004

			Atty Docket 26438U	Serial No. Not Yet Assigned
			Applicant GONDRY et al.	
FORM PTO-1449 INFORMATION DISCLOSURE CITATION			Filing Date Dec. 15, 2004	Group Art Unit Not Yet Assigned

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Issue Date	Name	Class	Sub-Class	Filing Date
	AA						
	AB						

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Sub-Class	Trans-lation
	AC						
	AD						
	AE						
	AF						
	AG						

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AH	Gondry, M. et al. "Cyclic dipeptide oxidase from <i>Streptomyces noursei</i> Isolation, purification and partial characterization of a novel, amino acyl α, β-dehydrogenase", <u>Eur. J. Biochem.</u> , vol.268 pp.1712-1721, 2001.
AI	Kanzaki, H. et al. "Enzymatic Conversion of Cyclic Dipeptides to Dehydro Derivatives that Inhibit Cell Division", <u>Journal of Bioscience and Bioengineering</u> , vol.90(1) pp.86-89, 2000.
AJ	Kanzaki, H. et al. "Biosynthetic Intermediates of the Tetrahydro Cyclic Dipeptide Albonoursin Produced by <i>Streptomyces albulus</i> KO-23", <u>The Journal of Antibiotics</u> , vol.53(11) pp.1257-1264, 2000.
AK	Lautru, S. et al. "The Albonoursin Gene Cluster of <i>S. noursei</i> : Biosynthesis of Diketopiperazine Metabolites Independent of Nonribosomal Peptide Synthetases", <u>Chemistry & Biology</u> , vol.9 pp.1355-1364, 2002.
AL	
AM	
AN	
AO	
AP	

Examiner	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609.

Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to Applicant.